

REGULAR MEETING
AGENDA

Wednesday, October 20, 2010 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

Due to necessary scheduling of ZBA members, the following items may be considered out of sequence and application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting.

CONTINUATION OF PUBLIC HEARINGS

WITHDRAWN

Opened on September 15, 2010 and continued to tonight October 20, 2010. The previously seated ZBA members, attending on September 15th, are Al Tibbetts, Chuck Deluca, Jeff Williams, Ruth Anne Ramsey, and Anthony Simari. Gary Greene and/or John Ashburne may also have reviewed the application materials, a tape recording of the September 15th segment of these hearings, and the submitted documents in order to be fully informed of this request and be available to participate in these hearings. These hearings must be concluded by tonight October 20th (within 35 days after their September 15th opening). However, if the ZBA determines to continue this hearing further, the applicant may provide up to a 65 day extension allowing the ZBA to continue this hearing until no later than December 24, 2010 (up to 100 total days). The next scheduled regular ZBA meeting is November 17, 2010. Or the ZBA may provide an advisory of the deficient information available and Deny the application Without Prejudice.

CALENDAR NO. 47-2010

WITHDRAWN

The application of Aquarion Water Co. of Conn. filed on August 18, 2010 for an interpretation of Section 385 and variances of Sections 334 and 406 of the Darien Zoning Regulations to allow the construction of a two and one half story residence with HVAC equipment and a detached two story garage. Section 385: a determination that the subject lot is a legal nonconforming building lot with 10,500 in

lieu of 14,520 square feet minimum required lot size and 50.0 in lieu of 80.0 feet minimum required lot width, and can be properly developed with adequate related site improvements; Section 334: construction on a building lot with 50.0 in lieu of 80.0 feet minimum required lot width; and Section 406: 9.5 in lieu of 12.5 feet minimum required west side yard setback, and 22.0 in lieu of 25.0 feet minimum required total of two side yard setbacks for the residence; 9.5 in lieu of 12.5 feet minimum required west side yard setback for the garage; and 8.0 in lieu of 12.5 feet minimum required side yard setback for the HVAC equipment. The property is situated on the south side of Chestnut Street approximately 230 feet east of the intersection of Chestnut Street and Noroton Avenue and is shown on Assessor's Map #21 as Lot #55, to be 23 Chestnut Street and located in an R-1/3 (residential) Zone.

CALENDAR NO. 48-2010

WITHDRAWN

The application of Aquarion Water Co. of Conn. filed on August 18, 2010 for an interpretation of Section 385 and variances of Sections 334 and 406 of the Darien Zoning Regulations to allow the construction of a two story residence with HVAC equipment and a detached two story garage. Section 385: a determination that the subject lot is a legal nonconforming building lot with 13,377 in lieu of 14,520 square feet minimum required lot size and 60.0 in lieu of 80.0 feet minimum required lot width, and can be properly developed with adequate related site improvements; Section 334: construction on a building lot with 60.0 in lieu of 80.0 feet minimum required lot width; and Section 406: 25.0 in lieu of 30.0 feet minimum required Chestnut front yard setback and 45.0 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Chestnut Street for the residence and garage; and 27.0 in lieu of 30.0 feet minimum required Chestnut front yard setback and 47.0 in lieu of 55.0 feet minimum required front yard setback as measured from the centerline of Chestnut Street for the HVAC equipment. The property is situated at the southeast corner formed by the intersection of Chestnut Street and Noroton Avenue and is shown on Assessor's Map #21 as Lot #56, to be 27 Chestnut Street and located in an R-1/3 (residential) Zone.

PUBLIC HEARINGS

CALENDAR NO. 58-2010

The application of Anne Webber Finan filed on September 22, 2010 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of a second story addition; Section 406: 14.3 in lieu of 19.5 feet minimum required east side yard setback, 10.5 in lieu of 15.7 feet minimum required west side yard setback, and 24.8 in lieu of 30.0 feet minimum required total of two side yards setback. The property is situated on the north side of Middlesex Road approximately 380 feet east of the

intersection of Middlesex Road and Noroton Avenue and is shown on Assessor's Map #9 as Lot #14, being 227 Middlesex Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 59-2010

The application of Charles F. Hartigan on behalf of Mr. & Mrs. Thomas Bredahl filed on September 22, 2010 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of a second story addition; Section 406: 24.1 in lieu of 25.0 feet minimum required rear yard setback. The property is situated at the southeast corner formed by the intersection of Salt Box Lane and Salt Box Lane East and is shown on Assessor's Map #45 as Lot #21, being 22 Salt Box Lane and located in an R-1/3 (residential) Zone.

OTHER BUSINESS

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Discussion, deliberation and possible decisions for Public Hearing request items listed above. 4 affirmative votes out of the 5 seated ZBA members are required to approve a proposal.
2. Requested amendment to the approved plans and Resolution of Calendar No. 67-2008, Donna and Arthur Collins, 45 Pear Tree Point Road.
3. Requested amendment to the approved plans of Calendar No. 42-2010, Chris Lionetti, 31 Fairview Avenue.
4. Approval of Minutes of meeting on September 15, 2010. ZBA members attending this meeting were Vic Capellupo, Al Tibbetts, Chuck Deluca, Jeff Williams, and Anthony Simari.
5. Election of Officers (by regular members). Due to attendance by only 3 of the 5 regular members tonight, this item may be postponed to a subsequent meeting.

6. Review of April 15, 2009 Joint Meeting discussions with the Architectural Review Board and possible recommendations for sign regulation changes or procedural adjustments.
7. General discussion of Application Materials, hearing guidelines, hardship criteria, decision practices/guidelines, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
8. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).